

Hampton Board of Selectmen
Minutes of June 04, 2012

PRESENT: Richard Griffin, Chairman
Richard Nichols, Vice Chairman
Michael Pierce, Selectmen
Ben Moore, Selectmen
Philip Bean, Selectmen
Frederick Welch, Town Manager

7:00 PM Public Meeting – Selectmen’s Meeting Room, Downstairs Town Offices

SALUTE TO THE FLAG

I. Public Comment Period

Senator Nancy Stiles would like to thank the Board for all the work Mr. Schwotzer and Mr. Nichols did on the NHRS spiking charge including calculating numbers and speaking at the hearings in Concord. She also wanted to thank the Hampton Representatives. She discussed all the people involved in the bills on spiking and how everyone worked together to make things happen. The only roadblock left in the way would be if the Governor were to veto the bill. At the current time, spiking has been repealed.

Julie O’Brien, 16 Johnson Ave, would like to make some comments in regards to Wally’s Pub including: understands it has been around for a long time, she has lived in the area since 1996, different types of bands and how they have become a concert venue year round, traffic concerns on Johnson Ave, who is in charge of monitoring traffic and concerns with the entertainment license guidelines.

Carol Cheney, 18 Johnson Ave, commented how when she moved there the owners of Wally’s lived two doors down. She discussed the many inappropriate things that take place there and how they trickle outside and down the road. She mentioned how there was never any problems with past owners and that is no longer the case. She brought up that she goes to Wally’s for pizza and to see the OB’s so she does not have a problem with the place but instead with the way it is run. She talked about how the venue has really changed and just last week there was bull riding. This is a neighborhood and they take pride in their neighborhood.

Steven Light, 11 Riverview Terrace, would like to make some comments about the entertainment license for Wally’s Pub. He and his neighbors would like to see some overseeing of some of the activities that take place at this establishment. He spoke about the parking lot behind Wally’s and the outdoor area might have some stipulations added such as having a police officer on duty during certain times. Although some things have been done

to help with the sound it is not enough. There has not been a lot done to address the illegal issues that take place outside. He discussed the mediations that took place last August.

Gerry Znoj, 16 Presidential Circle, here today to comment on the problems on Riverview Terrace. He brought up the letters he received while he was on the Board as well as letters he has received this year in regards to complaints about noise, drinking, urinating, sexual acts and so on in the back of the pub. He would like to know how many complaints have been filed against this club over the past couple of years. How many citations, fines, and arrests have taken place? He thinks these should be known facts before these types of licenses are given. He also commented on the mitigations that took place last year. The Selectmen have authority to address these issues and he referenced the entertainment license sections giving them this authority. He feels very strongly that this Board needs to address these problems before issuing an entertainment license to this establishment. He discussed the image of the beach and how it is now time for the Board to step up. His recommendations include a police presence and a noise measurement.

Maury Friedman provided the Board with a note that he sent 8 years ago that pertains to the Boards 2012 goals. He commented on how he berated them a few weeks ago about their goals. He gave this note to the Board for them to review and he will then ask for an appointment in about 2 weeks to discuss whether or not the Board thinks these are realistic goals. He brought up the Selectmen's role in economic development.

Errol Flynn, 15 Johnson Ave, would also like to comment on Wally's Pub. He has owned his property for the past 8 years and the problems have definitely developed over the past 2 or 3 years. He has had complaints from renters saying that they will not return. He talked about the importance of police presence at the owner's expense and the trash that comes from this establishment. He commented on the change of use from a restaurant to a venue for concerts.

II. Announcements and Community Calendar

Mr. Pierce has a few announcements tonight. He compliments Marilyn Wallingford for the beautiful flowers she has planted in front of the Town Office. He added thanks to Linda and John Gebhart and the others who have done all the gardening work at the beach. He also brought up the new artwork up near the Town Clerk's Office. There is still a need for volunteers for the recycling committee.

Mr. Moore would like to comment on all the work that went into the Gala by the volunteers and thanked everyone. He commented on how Saturday was effected by the weather. He named off the many people who worked to organize this event and the tremendous amount of work that they put in. He brought up a campaign going on right now by the Provident Community Foundation and two organizations from Hampton are in the running if anyone would like to get behind either the Hobbs House or the Tuck Museum and vote that would be great.

Chairman Griffin agrees that they did a wonderful job down at the Beach on Friday night. There were many people there and it was a wonderful night. He also mentioned the tremendous job that Kyle from Patch did covering/reporting on this event.

Mr. Bean brought up the wonderful festivities that took place on Memorial Day and how Hampton/Hampton Beach are wonderful places. He believes that if they all work together and mediate together everyone will be a lot happier.

Mr. Nichols brought up that he found a baseball glove a few weeks ago on the Flag Football field with the name Morgan on it so if anyone is missing a glove it is in the Rec Department.

III. Appointments

1. Greg Grady

a. Hampton Beach 12th Annual Master Sand Sculpture Competition

Mr. Grady, Kings Highway, is here on the behalf of the Hampton Beach 12th Annual Master Sand Sculpture Competition, which will be held between C and D Streets. Mr. Grady is here to request the assistance of the following Town departments on the following:

Public Works Department – Deliver 250’ of wooden snow fences and 30 posts – June 12

Fire Department- Supply water for competitions (2,000 gallons) – June 18

Police Department – Increase police presence awareness – June 21-23

Sand delivery between C and D Streets – June 15

The sand sculpting competitions will be June 21-23, and the viewing is through July 8. Anyone who would like to volunteer can do so at Hamptonbeach.org or call 396-6225.

Mr. Moore MOTIONED to provide the support as requested for the Hampton Beach 12th Annual Master Sand Sculpture Competition. Mr. Pierce SECONDED.

VOTE: 5-0-0

2. Ed Tinker, Assessing

a. 2011 Abatements (19)

Mr. Tinker presented the Board with 19 abatements. He commented that there was a minor correction to abatement #104. These abatements total just over \$15,000 and the grand total on abatements so far is just over \$50,000. He hopes to present the final 15 abatements on June 18th.

Discussion

Mr. Pierce asked about abatement #35 and in paragraph two, he thinks there is a problem since it states that they keep asking for things and do not get them. Mr. Tinker stated it is not a problem on the part of the Town since they just deny the abatement.

Mr. Moore has had an opportunity to have his questions answered during business hours since they were not significant issues.

Mr. Bean complimented Mr. Tinker on the caliber of his work.

Mr. Nichols will wait and qualify his vote once there is a motion and a second.

Mr. Moore MOTIONED to APPROVE the Assessor recommendations regarding the issuance of the 19 Abatements totaling just over \$15,000 for year 2011. Mr. Pierce SECONDED.

VOTE: 5-0-0 on 17 of the abatements

Vote 4-0-1(Nichols Abstained on Abatement # 2011-74, and # 2011-77)

3. Chief Sullivan, Police Department

a. Entertainment Licenses

Chief Sullivan and Deputy Chief Sawyer here tonight to answer questions on an entertainment license that came up last week. Chairman Griffin asked him to address some of the concerns brought up tonight. He asked the Chief to give them a glimpse of what is going on there and how often they have details. Chief Sullivan agrees that Wally's has grown. They have spoken with the owner and required details for the larger shows. There are not details every day. He discussed how when there are certain shows they would be required to have one or two officers depending on the group that is coming in. Chief Sullivan would now like to discuss the neighborhood concerns. Starting with last year, they have sat down with neighbors and the owners and discussed some of the concerns. Their officers have been down there quite a bit addressing the sound concerns. From the mediations that took place, they have three areas that need addressing. One is the sound and most of these complaints come when the doors and windows are open. They are trying to control some of the bass issues and some problems arise from people coming in and out to smoke. He discussed the different types of calls and in 2011, the total calls for service to Wally's was 194 but these calls can be for anything from a motor vehicle stop out front to a noise complaint. Over 60 of the calls were for noise complaints and they do have officers randomly go into the back lot to see what is going on. There have been 69 calls for service so far this year with five arrests. The second issue is with the people in the parking lot and outside the establishment. Their officers spend time out there especially at close and although they have found some of the issues they have not seen them all and arrest have been made. One of the issues is the darkness and they have suggested increased lighting but the neighbors have been against it being too light. They have attempted to quantify the amount of sound and have spent time with the neighbors including sitting on their porches with them. Briefly, that is where they are, they continue to answer calls, and there is not a simple solution. They can require them to have details but he does not think that will solve the problem. There needs to be increased lighting that will surely address the problem with the activities that take place out back.

Discussion

Chairman Griffin wonders how many of the arrest are related to noise and if the noise is from the motorcycles. The arrests stem from a number of illegal activities some of which have been brought up tonight such as urinating outside or theft inside to name a few. Chairman Griffin also wonders if there is a possibility that some of the activities taking place in the back lot can be from patrons of other businesses in the area. Chief Sullivan stated although that is possible the vast majority of it is coming out of Wally's. Chief Sullivan also mentioned that whenever you have 300 people exiting an establishment it is going to be loud. The same thing happens when you have the crowd leaving the Casino. He brought up the issue of over serving and the Liquor Commission has been asked to come in and investigate this issue. Chairman Griffin asked if the Liquor Commissioner has cited them for any violations. Chief Sullivan does not know the answer to this and Deputy Chief Sawyer added that if an officer comes across someone who appears to be intoxicated they are arrested and they then investigate where that individual had their last drink. A record is kept and when an investigator comes in from the Liquor Commission this record is used by them. He will say that they have arrested two people who used a fake ID at this location.

Mr. Bean brought up the fact that it is tight quarters down there and things are the same as they were back in the 70's when he road on the back of a packer down there. Although the

venues have changed at Wally's it shows that the owner is a successful businessperson and that does not set well with some of the comments made here tonight. He understands that and mentioned how on a different level they deal with similar things everyday on Winnacunnet Road with the schools and fire station. He gets the friction and tonight with the Chairman and the Town's people coming together with Department Heads and Police it speaks well of this Town. He stated that Mr. Fleury has not been cited by the Liquor Commission and not every establishment at the beach can say that. He also added that the owner has been working with and been responsive to the concerns that have been brought up. This shows him that there is room for some more negotiations and mediation between the parties involved to end some of the conflict. He thinks there is some evidence of being a good neighbor with some of the things that have already been done in regards to sound barriers such as the fence that was installed. As a chamber representative and business owner he supports people who grow their businesses. As Selectmen, they receive input/approval of department heads prior to approving these types of entertainment licenses at the Board level. He applauds the good neighbors who came in tonight to share their input and he applauds the department heads for addressing the issues. Chief Sullivan just clarified that the department heads just give their recommendations and the Board is the issuing authority on these licenses.

Mr. Nichols thinks it seems to him that the major problems fall into two categories noise and what takes place in the lot out back. Mr. Nichols asked how the noise ordinance that passed at the March election plays into the noise issues. Chief Sullivan likes the idea of the ordinance but thinks it will fail in court and he shared the reasons why with the Board. Mr. Nichols asked if the doors and windows are being left open. Chief Sullivan stated that at times they are and they have worked with them on these issues. Mr. Nichols shared a time he was at Wally's this past summer, the bass was excessively high, and any effort to try and regulate the bass would be helpful. Deputy Chief Sawyer shared an experiment they did last year and a comparable one done this year and there was a significant difference. He will continue to conduct similar experiments. There was a discussion on the difference between a DJ night compared to a band. Mr. Nichols brought up the problems in the parking lot and he thinks something needs to be done on the part of the business owner to address these issues. Some suggestions would be better lighting, a parking lot attendant, video surveillance, and police details at certain times. If this continues at some point the Board, as the issuing authority will need to look to the Police Chief for some thoughts on conditions that might be added to the license.

Mr. Pierce has a few items and wonders what the police officer does if he is assigned to a detail there. Chief Sullivan stated it depends on what they assign him to do if it is a security detail than he would stay inside however there are times when an officer has been assigned to walk around and watch what is going on. Mr. Pierce expressed concern with the friction that is building and the problems that could come about because of this tension.

Mr. Moore asked the Manager if bull riding is covered under amusement and it is not. He asked if the Board could be informed if there have been in any violations filed by the Liquor Commission on this establishment and Chief Sullivan will look into this for the Board. Mr. Moore commented on the quality of the fence and it does not appear to serve the purpose it was put up for. Mr. Moore commented that according to the entertainment license the Board can make set requirements such as changing the type of fence once a public hearing has been

held. Deputy Chief Sawyer pointed out that he believes Mr. Fleury was limited as to the size/height of the fence. They discussed whether the lighting was part of the mediations and it was not. Mr. Moore is shocked by the number of times they have responded to this location for calls for service. Chief Sullivan reminded him that the calls for service could be related to motor vehicle stops in the general area. Mr. Moore is prepared to make a motion to hold a public hearing on these issues on June 18th. Mr. Nichols thinks that he should share some information from the minutes of the Zoning Board and some issues that came up related to the current lot not being a legal lot and he shared the details behind this problem. He has concerns placing restrictions on a lot that is not actually a legal lot. He would suggest waiting on the parking lot issue until it is resolved by the Zoning Board. Chief Sullivan explained how they had come up with the parking lot changes to help mitigate the problem with people using driveways on Johnson Ave to turn around. Mr. Morris spoke on the changes to the parking lots and the steps that they are going through to reconfigure the parking lot.

Chairman Griffin agrees with some of the things discussed tonight in regards to the lighting and paid details. He thinks a letter should be sent to Mr. Fleury expressing some of the concerns that the Board has.

Mr. Moore would like to discuss the motion he is going to make. He read the entertainment license ordinance and that there is enough of a justification to hold a hearing. Chief Sullivan pointed out that the Board would need to receive written complaints from individuals and Mr. Moore read that part of the ordinance so that people would know how a complaint should be filed.

Mr. Moore MOTIONED under ordinance 149:13 the Board should hold a public hearing on June 25th. Mr. Pierce SECONDED.

Discussion on motion

Mr. Nichols and Mr. Moore both read sections of the entertainment ordinance for the Board. Mr. Nichols agrees with Mr. Moore that the Board has the right to hold this public hearing based on the guidelines of the ordinance.

Mr. Bean would like to clarify that there have never been any successful filings in the Court in regards to noise ordinances and Chief Sullivan does not believe there have been any. He reiterated that he thinks the owner has been very cooperative and he wonders if this hearing is going to negatively impact the mediations that are taking place. From Chief Sullivan's prospective he agrees that Mr. Fleury has been working to do whatever needs to be done. Mr. Bean pointed out that the entertainment license has already been approved by the Board and did have the support of the Police Chief at the time of renewal.

Chairman Griffin would say that the people who come to talk about this location are always very polite. He thinks the point that Mr. Bean made in regards to mediation are accurate. There was an additional discussion on the problems with the trash in this area and how it is not all related to Wally's but to other businesses in the area. Chairman Griffin just wants to make sure that whatever the Board decides to do is ok as long as it is not related to littering and he explained why he feels this way. The littering does not come from Wally's establishment but from the Pizza establishment. Chief Sullivan stated that the main complaints are related to sound and bass, and the patrons leaving. Chief Sullivan stated that

he has never seen another establishment focus on and spend this amount of money to address sound issues as this business owner has.

VOTE: 4-1(Griffin)-0

Mr. Moore brought up the seating outside and whether or not this is allowed and it will be looked into by the Town Manager. Mr. Moore questions whether the bull-riding device is allowed or not, and it has not been regulated. Mr. Bean would suggest that any Selectmen not aware of what is going on down there should make themselves available and do some research prior to the Public Meeting.

They discussed the public hearing in detail and how the issues/complaints must be expressed in writing prior to the meeting. They discussed that it will be necessary to have all correspondence in writing prior and that many of the emails are old and are repeats from prior years.

IV. Approval of Minutes

1. May 14, 2012

Page 2, 6th paragraph, 4th line, change “Mr. Moore” to “Mr. Tinker”

Page 5, correct the spelling of “Brice” to “Bryce”

9th paragraph, change “rewrote” to “rewritten”

Page 9, 3rd paragraph, correct “Area Commission” to “Village District”

Mr. Nichols MOTIONED to APPROVE the Minutes of May 07, 2012 as amended. Mr. Pierce SECONDED.

VOTE: 5-0-0

2. May 21, 2012

Page 6, 2nd paragraph, 11th line, insert the word recommended before “rates”

Page 11, 6th paragraph, correct the spelling of the word “he” to “the”

Page 13, 2nd paragraph, change “taken a stand” to “has a policy”

Mr. Pierce MOTIONED to APPROVE the Minutes of May 21, 2012 as amended. Mr. Nichols SECONDED.

VOTE: 5-0-0

3. Sealed Minutes

Mr. Nichols MOTIONED to APPROVE the sealed minutes of the Non-public meeting on May 29, 2012 as amended. Mr. Pierce SECONDED.

VOTE: 5-0-0

V. Town Manager’s Report

1. 2013 Budget requests have been issued to Town Departments. The 1st meeting of the Board to consider Departmental Budgets will be September 10th.
2. The Policy for the Tracking and Accountability of Bond and Contract Securities including Insurance has been issued to all Departments as directed by the Board.

3. You have on your agenda the Purchasing Policy and Procedures as amended as directed for your consideration.
4. Per the memorandum of May 24th regarding the proposed dredging project and the Sun Valley Residents concerns regarding the low tide jetty. Permission is requested to ask our Legislators to file legislation for the 2013 Session to rebuild the jetty as recommended in the report of the Army Corps of Engineers and the Pease Authority.
5. The Town Clerk's office will be closed on June 6th for the staff's annual training.
6. Winnacunnet School Board will be holding a Forum on the full-year core academic courses on Wednesday, June 6 at 6PM in the Lecture Hall at the School.

Other Items added to Town Manager's Report

He has the original CBA's for the Boards signatures for Firefighters Local 2664, the Police Association both officers and sergeants. The Police Association is also asking the Board to sign the MOA in regards to the detail rate. The Board also has the sick bank addendum from the Firefighters Local 2664 to sign tonight.

He has received a special communication from the Selectmen in Jaffrey and the Chairman of the Conway Village Fire District and Tom Fortier from government affairs at LGC regarding forming a committee and inviting someone from Hampton to attend the meeting on the 13th between 10 and 12 noon to talk about the SAG grants and lack of funding by the State.

They received a report on the 1st from DOT in regards to bridge inspections indicating some deficiencies in the Old Stage Road Bridge over the Taylor River. There is work to be done and although it is not an emergency he thinks the Board should ask Keith to get some cost estimates on these repairs. On the same day they received notice that DOT is doing some preliminary borings out on the interstate on either side of the Taylor River Dam. This leads him to believe they are in the process of starting the work to replace this Dam and we should keep a very close eye on this.

They received a follow up documentation from DES regarding their facilities plan and they have ordered us to put into the plan two very specific attachments one dealing with staffing and the other dealing with hydrochloric storage.

Discussion

Mr. Bean questioned whether or not we have received the check from the State Liquor Store for sewer usage and it has not been received yet but is being cut.

Mr. Nichols brought up the value the Town is getting for recycling and asked Mr. Welch for an update on the meetings he had in regards to this topic. Mr. Welch stated that Keith is the one who had the meeting and he would be the one to discuss this and will be here next week. He does know that Casella is sending in a proposal to the Town.

Technical difficulties – 5-minute break.

When the meeting resumed the Board was discussing the status of the MOU with DRED.

Mr. Nichols questioned if there is an agenda for the meeting next week with DOT and there is not, it is a meeting to discuss how they will have meetings with DOT. There was a discussion on whether or not there should be a list of some discussion points and the fact that it will be a public meeting and televised.

Mr. Pierce reminded the Town Manager that he skipped item 6 in his report which the Town Manager did at this time.

Mr. Moore confirmed with Mr. Welch that there is not an MOU in draft form between the Town and DOT. Mr. Moore pointed out that Mr. Noyes has requested to be on the agenda next week to discuss the intersection at Lafayette Road and Winnacunnet Road. The Board agreed that they will discuss any other important issues that come up at next week's meeting.

VI. Old Business

1. 2012 Selectmen's Goal

a. Permanent Building Committee

Chairman Griffin opened the discussion to the Board.

Discussion

Mr. Pierce does not have any comments on this at this point.

Mr. Moore has read through this along with the minutes from 2009. He thinks it should be set up as an ad hoc committee and be used as needed and then go away. It may be too late for the Fire Station and not necessary for the Church Street Pump Station. However, it could be used for the next thing that comes up from the CIP. Therefore, his opinion would be to change this from a permanent building committee to an ad hoc committee.

Mr. Nichols agrees with the comments that Mr. Moore has made. He would add that a lot of the language defines the committee will need to be changed and the committee should be an advisory committee and be used as needed.

Mr. Bean supports this committee and thinks there is a lot of knowledge and talent in the community that could be utilized. He shared some of the things that these knowledgeable people in this community can do. He hears what the Board is saying and would support an ad hoc committee.

Chairman Griffin agrees and asked where we would go from here to make this an ad hoc committee. Mr. Welch stated that the policy would need to be re-written. The Board further discussed the fact that this committee is not needed for the two current projects. Mr. Bean thinks that there is always a need for these types of expertise that are available through the members of the community. Mr. Moore brought up the multiple uses of ad hoc committees and the demolition of the Courthouse could be something that this committee looks at. Mr. Welch will get to work on this policy and seek volunteers for it.

b. Purchasing Policy and Procedures Changes Approval

Atty. Gearreald has had a chance to look at this policy and has received some feedback on this. He would like to focus on Section 718-4b is the use of the word "and" instead of "or", he explained to the Board that by using the word "and" all criteria must be met. Atty. Gearreald also discussed that this section is also repeated in 718-9. Mr. Nichols disagrees that they are actually separate issues.

Discussion

Mr. Nichols pointed out that the other changes suggested by Atty. Gearreald were grammatical, and he agrees.

Mr. Moore believes that Atty. Gearreald did have a question on 718-8 in regards to notice requirements. Mr. Moore was under the impression that the Board agreed that bids could be advertised in any of the ways listed, and not that all option be done. Mr. Nichols thinks that all requests for bid proposals should be on the website and sent out to vendors. The Board agreed that it would be as determined by the Manager whether it needs to be placed in the newspaper or not and allow the Manager to send things electronically to any potential bidders. They discussed the language further in regards to submitting bids and the wording added as determined by the Manager.

Mr. Nichols has some issues with 718-7, which has to do with State and Federal bids. The Town can purchase items or select consultants for work that are on the State or Federal Government approved lists, without going out to bid. He feels that if the Town wishes to purchase or select consultants under this process; that this may not be the lowest cost and should be brought before the Board for transparency purposes. The Board discussed filing for SRF funds and what can and cannot be done. There was a lengthy discussion on how the language should be written and whether or not it should come to the Board. Mr. Moore thinks that this section is to follow Federal & State law and the language Mr. Nichols is suggesting would take this away. Mr. Nichols disagrees; he just thinks it should be brought before the Board for a hearing for transparency, vetting, and an explanation, all for creditability with the public.

Mr. Bean wonders what Atty. Gearreald thinks of this and Atty. Gearreald feels he would need to look at this closer. Atty. Gearreald cautions the Board to be careful about adding language that could inflict damage on the qualifications and use of that contractor. Mr. Moore has a problem with it coming to the Board for concurrence since it is not in control of this Board because of State and Federal guidelines. Mr. Nichols stated once again that he only wants it to come forward to the Board for transparency and not for concurrence. Atty. Gearreald stated that it would be in the form of an announcement in the Town Manager's Report. Mr. Bean commented that it is not something that has to be added to the policy but Atty. Gearreald stated that if it is being put in as an announcement and rational for selection.

Mr. Moore thinks this will have to come back to the Board for discussion since it will need to be put in as draft form once again after the changes discussed tonight. Mr. Moore brought up 718-3 and the concerns. Mr. Welch explained how the Town has always wrote specifications to meet criteria such as vehicles specific to one type/vendor for equipment. He shared concerns with writing bid specifications that are open to any type/brand of vehicle and the problems associated with bids of that type that would come in.

Chairman Griffin thinks this should be put back on the agenda next week. Mr. Moore thinks that some guidance should be given in order to not create a burden in the purchasing policy. Mr. Welch asked if the words equal or equivalent were to added to 718-3, would that be ok, Mr. Nichols agreed that would be fine.

Atty. Gearreald asked that this be put on the agenda in two weeks. Mr. Bean would suggest that this not be put on the agenda until Mr. Moore and Mr. Nichols have agreed on the language.

2. Authorization of the Town Manager to sign consulting services agreement with Titan Energy

Discussion

Mr. Nichols MOTIONED to AUTHORIZE the Town Manager to sign consulting services agreement with Titan Energy. Mr. Bean SECONDED.

Mr. Nichols explained that at this moment we are authorizing Mr. Welch to sign the agreement and that we have not spent any money at this point we are just allowing the vendor to go out and come back with information for the Board. He went through the process again and how after the vendor comes back with the bids the Board will need to decide how they want to handle it once the bids come back.

VOTE: 5-0-0

Mr. Nichols asked about what would be the next step in how are we going to handle the supply. Mr. Pierce thinks everything should come back to the Board for discussion for the Public to see. Mr. Bean agrees it needs to be a decision of the Board. Mr. Nichols would then suggest that Titan come back with indicative pricing so the Board has time to meet, discuss, and then go out for executable pricing because of the time constraints involved. The consensus is that it will come before the Board.

Other Old Business

Mr. Pierce brought up the IT Committee being finalized this week. Mr. Pierce passed out a suggestion he has and he will go through it real quickly. He would like to invite people to write in to be on the committee. He thinks the Board should make a motion on forming this committee. Chairman Griffin wants to discuss this next week.

Mr. Nichols brought up spiking and if it is signed by the Governor, it will hopefully be the end of spiking. He shared the tremendous amount of work Senator Stiles put into this and she should be thanked for this hard work.

VII. New Business

1. DRED NH State Park – Use of Church Street Parking Lot for employee parking

Mr. Welch stated they have asked for 20 spaces that are available at the time the loss of revenue is just over \$6,000 if the spaces were to be leased but at this point they are not nor is there a lack of spaces available in this lot.

Discussion

Mr. Nichols pointed out that we did lease spaces in this lot in 2010.

Chairman Griffin does not have a problem with this.

Mr. Pierce wonders how much they will be charged and it was stated that they will not be charged.

Mr. Bean wonders why they are not being charged and he thinks they should be charged. There was a discussion on how many spaces the State has at the beach (1000) and why they need to use the Town spaces. And there should be a charge for the parking spaces.

Mr. Welch stated that we have also been requested to allow Chamber employees to park in the Ashworth Lot. And we have not said yes to anything request.

There was a discussion on how the State removed almost all the accessible spots (200) and are directing them to Town lots where they can park for free. Individuals with Accessible plates can park anywhere (metered or not) for free.

Mr. Moore stated that we have this spot not being used and therefore not cutting into our revenue and have done this for the past 2 years. He suggests that the Board turn the cheek on this one and allow the State to have the 20 spots.

Chairman Griffin stated that it might be appropriate to state to the State that this will be the last year we are willing to do this for free. Mr. Nichols would suggest that we add the stipulation that they will be made available as long as there are spaces available, and not leased.

Mr. Bean mentioned the budgetary constraints and giving things away of value for free is not right, and compensation for the parking should be given.

Mr. Bean MOTIONED that the Town Manager engages in a dialogue with the State Representative over a fee schedule that is reasonable and mutually acceptable to the State and Town of Hampton; and to report to the Board with his discoveries. Mr. Pierce SECONDED.

Discussion on motion

Chairman Griffin suggests that it would be better to have Mr. Welch have a discussion with the State about what the State would be willing to do for the Town in return for these free parking spaces. Mr. Pierce agrees with Chairman Griffin.

Mr. Nichols stated that they are leaving it up to Mr. Welch to come to an agreement with the State on this parking issue.

They also discussed the need to express that this will be the last year.

VOTE: 5-0-0

Other new business

Mr. Nichols brought up the CIP report that they received and he has begun to look at the report. The things that struck him were the financial numbers at this point, specifically with DPW, he was struck by the \$3.4M for 2013 and it does not look like expenses that the Town would bond, and this represents a 17% increase in our net operating expenditures. He would like to make a request that a spreadsheet be produced showing the tax impact out to 2018 of this CIP report.

Mr. Nichols MOTIONED to have a spreadsheet produced showing the tax impact of the CIP report forecasting out to 2018. Mr. Pierce SECONDED.

VOTE: 3-2(Griffin, Moore)-0

Mr. Pierce brought up emails that went out today from the emergency notification emails system. He would suggest that this be looked into as to why this happened.

VIII. Consent Agenda

1. Donation – Park Bench at Bicentennial Park, North Beach
2. Dance Hall Permit – Wally's Pub 144 Ashworth Avenue
3. Dance Hall Permit – Le Bec Rouge 73 Ocean Blvd

4. Dance Hall Permit – The Whales Tale Too 169 Ocean Blvd
5. Dance Hall Permit – Hampton Beach Ballroom 169 Ocean Blvd
6. ~~Dance Hall~~/Pool Table Permit – Casino Mini Golf 169 Ocean Blvd
7. Notice of Liquor License Application – Flatbread Hampton Inc., Jay Gould, Pres, dba Flatbread Company, 61 High Street – Restaurant Bev/Wine/Liquor liquor license
8. Recycling Committee Appointment – Mary-Louise Woolsey
9. Highway Safety Committee Re-appointment – Lawrence M. Douglas
10. Parade and Public Gathering License – RM Auctions – 363 Exeter Road
11. Parade and Public Gathering License – Hampton Firefighters Memorial Sunday 06/10

Mr. Pierce MOTIONED to MOVE the Consent Agenda. Mr. Bean SECONDED.

VOTE: 4-1(Moore)-0

IX. Selectmen's Closing Comments

Mr. Moore would have asked questions on all the dance hall permits since there is nothing from the safety section on these. He pointed out that the dance hall permit for Casino Mini Golf is for a pool table. He also questions the bench donation, is there a cost to the Town and there is not. Mr. Welch commented that all the dance hall permits have to have an assembly permit issued by Fire before they can file for the dance hall permit.

X. Adjournment

On motion made by Mr. Nichols and seconded by Chairman Griffin to enter into a non-public meeting under RSA 91-A:3,II,(a) (c).

By roll call vote, the Board voted unanimously to enter into a non-public session under RSA 91-A:3,II,(a) (c).

Mr. Nichols MOTIONED to adjourn the public meeting. Mr. Pierce SECONDED.

VOTE: 5-0-0

Chairman